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ABSTRACT

Characteristics of state coordinating boards or governing boards are briefly outlined, and the nature and character of political relationship of the board with other agencies are examined. The board is characterized by its limited powers, its nonpolitical base, and its restricted clientele. In dealing with the executive agency, it is important to make the governor aware that the coordinating or governing board represents an important resource in terms of politics. It is important to anticipate the information the governor will want sometime in the future and to be prepared. It is also important to stay out of the governor's way politically, because coordinating/governing boards do not do very well against governors. In dealing with the legislative branch, it is generally true that the legislature as a whole has a consciousness approximately at the level of the general public, while the various committees related to education tend to have a high level of sophistication. Committees expect coordinating/governing board representatives to be available, have answers, and do work that their staffs generally handle. Dealing with committees concerned with finance is also addressed. Another important interrelationship is with the judicial branch. The courts' interpretations will affect fiscal freedom and institutional autonomy. The attorney general's opinions and the court's opinions probably will make the difference in whether or not higher education is cut severely through attacks on tenure, on faculty status, and on the rights to offer programs. In addition, there is a whole set of other interagency relationships with budget agencies. licensing agencies, and other essential groups. It is necessary to have open relationships at the top and some kind of regular communication. Lower-level staff should also develop working relationships with staff of other agencies. (SW)

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STATE AGENCY RELATIONSHIPS

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Philadelphia, Pennsylvania
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STATE AGENCY RELATIONSHIPS

by Patrick McCarthy

I've worked in public life or in government, on one side or the other, for about fifteen years or most all of my adult life. I've worked at various levels. Although I'm a city planner by training, I'm kind of a renegade. I've worked for mayors; I've worked for the U. N. with the Secretary General; I've worked for governors, against governors, beside governors, even behind governors. I've also worked for lay boards.

While sitting in my room, I thought about this past of mine, wondering whether a common thread ran through my experiences and interrelationships with the various governmental activities.

Before I share my conclusions, however, let me make ground rules so we are all thinking and talking about the same things. First, when I talk about an agency like a coordinating board or a governing board, there really isn't very much that is like it. The important characteristics are (1) its limited powers, usually stated in some kind of legislation or administrative ruling; (2) its non-political base, in the sense that it doesn't have a constituency; and (3) its restricted clientele, in the political relationship it can have to larger power politics. As officials in these agencies, we, by our nature, tend to be administrators or public managers of bureaucrats rather than politicians. Now that doesn't mean we all operate that way. Some people in this game are pretty good politicians on the side, but they do it without a base and they do it at great peril.

Last night when thinking about it, I thought, "Well, there isn't any right or wrong, I can't give some rules for how to operate with other agencies that are universally applicable, but what I can and would like to share are some observations about the nature and the character of the political exercise."

Let me begin by making one overriding comment! The world in which activities take place, the continuum sort of administrative political world and the basic character of agency relationships in this world will appear over any period of time to be kaleidoscopic rather than episodic. Now what do I mean by that? Well, subject to dramatic and rapid changes with respect to the relationships of one party,

one group, one set of individuals, even one set of goals and objectives, changes can be examined on an almost input-output model. They change across the board. For instance, if the governorship changes, then there are shifts back and forth, up and down, and all over on the surface. But still, most things are still in place and much the same in reality. It is really like turning one of these kaleidoscopes around and getting a new pattern of colored glasses. If you know this, then you begin to know there are some fields of predictability within the world of governmental or interagency relationships which remain the same and you act accordingly. This is where you will find the guidepost to your own continued progress in the direction to whatever your undertaking is or to whatever you are trying to accomplish.

The second point I would like to make is that the best kind of relationships are symbiotic relationships. I worked my way through graduate school by opening a small business that I bought from a sage-old guy. I told him I'd never been in business before and asked for any advice he could give. He said, "Well, the best advice I can give you is that in a good business deal, both people make out." And that really is what a symbiosis is in public life and in nature. You really should deal with people on the basis of not only what they can do for you, but what you can do for them. If you don't think creatively about it, they will ask you for things you really can't do for them, you won't do it very well, and it will be a one-way street.

Sometimes we tend to bind ourselves with our own nomenclature, but for the purpose of conversation and perhaps argument, I wish to lay out the following case of characters in the political process. There are the agencies or institutional constituents in education, the universities and colleges. Among the entities we must deal with, and hopefully together with, are the political agencies, including the executive branch of government. The executive exhibits all sorts of characteristics. I never had the tremendous luxury of having a governor who was totally for higher education and I've had three governors. I know there have been governors for higher education; I've read about them! I have known governors who knew it existed but were neutral; and I've known governors who were against higher education. All three experiences are exciting and produce different kinds of problems and different kinds of opportunities too, if you suffer from masochism.

The second political group is the legislature. Oddly enough, the legislature is also a non-political group in the sense that it is a group of people who, in some cases, have greater continuity than either the governor or the professional staffs of the agencies. At times, some of the

legislators have been around longer than the bright young people who are trying to make policy for the state and some of them are very well-founded in their own set of goals and objectives. The last political group is the judiciary, which includes the attorney general's operation. That's a very useful agency relationship. Now, let's go back and discuss these groups and relationships.

Institutional relationships: If you're going to start dealing with "major," "complex," "sophisticated," "rapidly changing," "dynamic," institutions, you must understand they believe they are unique in both their psyche and their complex management patterns. If you're going to deal with them, you must be able to have real empathy for the problems and opportunities by which they are driven and to which they are attracted. This takes some real thinking. You cannot go at your institutions from a totally external basis. In my brief career, I have seen people attack the institutions from the business point of view. They want to make them "business-like." I have seen people attack them from political points of view; they've matched that. I've seen superimposed bureaucratic draperies and shrouds over institutions. I've seen them dolled up in gawdy management angles. All these things have either worked or not worked--not because of what sort of business people were trying to do, but whether or not the relationship, or the inference of a relationship with the institution, was a two-way street. It depends upon whether or not you were really prepared to adjust what you were carrying to the institution to fit some of their aspirations and some of their patterns to your methodology. If you went in with that sort of attitude, a lot of good management design is possible and it takes place.

Executive: Let us now look at the executive. You have a number of problems with the governor's office. The worst problem you could have is that he is completely unaware that you're there. In the case of the governor, you must begin to make him aware that you represent some kind of important central resource for his part of the political game in the state as well as your own, even if you don't win his love. This means that you must think creatively. You must anticipate the things he is probably going to expect from you sometime in the future and have them ready for him. It also means you must stay out of his political way. It is very easy for the governor to pick out an educational person or and educational institution to run against. And, in the long run, we don't do very well against governors. I could pretty well guarantee that any governor who wants to focus and concentrate his political activity on any single part of higher education is going to win. All we have to do is look from California back closer to home to discover these things.

Legislative: The legislature is a different matter. What are the expectations of the legislature and how do we deal with the legislature? Well, I look at the legislature, as a whole, as having a consciousness approximately at the level of the general public. Deal with the total legislature in that sense in terms of what you do for them and how you do business with them. However, the various committees of the legislature (and different states are organized in a different fashion) manifest a very different character for the legislature. Joint education committees, for instance, tend to expect that the people in agencies (whether they be the head of the agency or the people who work for the agencies) will be resource persons and public spokesmen for both the positive and negative positions on issues that are being argued. They expect you to be there, provide answers, and do the kind of home work that their staffs generally are not able to. Now, one of the curious things that has happened in the last few years is that the legislative committees are getting pretty good staffs. They are not numerous, there are not a whole lot of people on them, but they're bright, intelligent, hardworking, and creative people. Anybody who thinks he can deal with the legislative committees in this day and age without giving them sophisticated answers to sophisticated questions, is in for a very unpleasant surprise. However, if you approach the legislature with your best presentation of both the neutral and the loaded facts, (And let's not kid ourselves, we load our facts when we can!) you'll find the legislature will look upon you (perhaps not with love) at least with respect and that's the beginning of the relationship. The other committees in the legislature are the ones that deal directly with finance and as a rule, really don't want you making a public spectacle about the issues. They want you to be truthful with them--that is, truthful in a way you may not have been in the past. One of the things we've done in higher education in the past is develop almost on a pencil line certain kinds of freedoms and attitudes. These have made possible the building up of this huge higher education enterprise we have. The components of this are namely academic freedom on which you shouldn't give ground on any condition. A second set of freedoms on which I am now being called in to question by the old accountability issue is fiscal freedom and it runs all the way from fiscal flexibilities through a total fiscal autonomy. I firmly believe it would not have been possible to build the institutions we have had we not had full academic freedom and fiscal freedom.

But I believe the money we are looking for in the future is not going to be available to us unless we're able to add an accountability function to our fiscal freedom. So, relationships with the fiscal part of the legislature will really depend very strongly on your ability to develop credibility

with respect to what you want and how you use the money once you get it. You must be increasingly susceptible to any kind of pressure which comes from scandal, misuse, poor judgment, or any of the other public expenditure problems agencies have suffered in the past.

Judicial: Now why do I mention the courts? Well, I believe the basic unwritten contract on which higher education depends in its dealings with both the general public and the world is really very much like the American Constitution. It's a simplistic agreement which develops by the courts' interpretations. We know it has developed in the civil liberties arenas through interpretations from the courts, but it is going to increasingly develop on the side of the fiscal freedom and the right to do what you want to do, when you want to do it, or the right not to do it as well. When we go into the seventies and eighties in higher education, which means depending upon the current age groups and having to face the difficult issue of cutting back, cutting back and still keeping the educational enterprise viable, will make the quotes terribly, terribly important. The attorney general opinions and the court opinions probably will make the difference in whether or not higher education is cut to pieces through attacks on tenure, attacks on faculty status, and attacks on the rights to offer programs. Consequently, I underline your relationships with the courts as being terribly, terribly important.

There is a whole set of other interagency relationships which I call dual relationships, and these are relationships with the active agencies with which you do business such as the administrative and budget agencies, the agencies responsible for statistics or demography, the agencies that are doing business or passing judgment on licensing, and so forth. You should, as agency people, establish two kinds of relationships. First, there should be good, honest, open relationships at the top and there should be some kind of regular communication whether it be in writing or in person. Secondly, you should encourage second and third echelon people to develop informal relationships because more business is done at the formal level. If you wait for a piece of paper to pass through the regular chain of command, nothing ever happens. If you have somebody who can call up Henry or Joe or Peter and they can swap information at that level, your effectiveness will be enhanced tremendously. I think you should be aware that it is terribly important to make friends at all levels within other agencies. By making friends, I don't simply mean setting up a "buddy" relationship. I mean bringing in people from those outside agencies to work with you on joint projects or cooperative projects.

In turn, you should send your people out to work in other agencies so they know what happens there too. This is best done by borrowing and lending people on an informal basis as sort of an inservice, informal education arrangement.

Let me say two final things. One is that logic is always the best basis on which to carry out your business. But remember, logic is almost always defeated by a motion and a motion is almost always defeated by politics. So, one of the things you must do is to work very diligently upon the environment to keep the argument and conversation in the area of logic. You will not always be able to do that and there are two factors that are ideal. One is champion a cause that is clearly understood, for you then stand at least a 50% chance of winning. If you enter into a conversation where you are fighting for a cause and the other side is simply fighting for power, you are going to lose. The second thing I want to cover is that you must be very careful to see such power situations coming down the road. They come from strange places. They come at what I call the episodic periods of development of state government, at beginnings of new legislative sessions, at the ends of legislative sessions when reorganization is in the air, or at a time when a new governor is coming into office. These are the times that you will want to be very careful that you state the logic of your argument and don't assume that it is known. If you don't state it, you will end up in an emotional contest which will then turn political and you will eventually be the loser. I haven't ever seen a group of public administrators beat really good politicians.

Thank you.